

OLD DOMINION MAKES A GAIN

**Increase in August Output
Amounts to More Than 160,-
000 Pounds Over July**

GLOBE STOCK IS DOUBLED

**Extensive Development Work Will be
Inaugurated on The Company's
Property—Big Deal on The Tap—
Copper Sales at Big Prices**

The August production of the Old Dominion company amounted to 2,242,000 pounds of blister copper as compared with 2,080,000 pounds in July. An accident to one of the blowing engines interfered with production for a period of seven days. The company's new plant has been completed at a cost of \$1,500,000 and paid for. The Old Dominion is now expected to be able to make a showing of earnings. Its floating debt has already been reduced \$100,000 and before the close of this year the balance of the debt, \$300,000, should be wiped out.

On Monday last the Globe Mining company held a special stockholders meeting here for the purpose of amending the articles of incorporation, by increasing their capitalization from 2,500,000 to 5,000,000 shares of the par value of \$1 per share and to provide for extensive development of their properties. The amendment was adopted unanimously by a great majority of the stockholders and the meeting was adjourned over until next week when the matter of development of the properties will be considered.

Phelps, Dodge & Co. have stated that they are making sales of copper to the best consumers in the trade at 16 1/2 cents per pound up to the end of the year. An official of the United States Metals Selling company says he can see nothing in the copper situation but phenomenal demand for the metal, with none offered below 16 1/2 cents.

J. Morgan Clements, of New York, a well known mining engineer, was here for several days this week, examining property on the Globe copper belt. As a result of this visit and a previous one, it is probable that an important mining deal will be consummated of the prospective purchasers being eastern men of large means.

Three furnaces are in blast at the Old Dominion smelter and the concentrator is running continuously, the first eleven o'clock p. m. shift going on last night.

The Pinal Copper Company of which Chas. W. Slack is superintendent, has been reorganized in St. Louis and will hereafter be known as the Arizona Banner Copper Company.

Pfister Brothers report that development is progressing on their Limonite group of copper claims at Richmond basin and everything looks favorable for opening a valuable mine.

PINTO AND MINERAL CREEK

**Mining is Active on the Divide—Ship
ping Rich Ore to O. D. Smelter**

Much activity is reported from the district west of Globe and centering at the divide between Mineral and Pinto creeks. Men are at work all over the district taking out ore and developing promising copper claims.

Gibson & Henderson have five teams hauling sulphide ore to the Old Dominion smelter from the Gibson mine famous as a steady producer of rich ore. A hoist has been installed on the incline shaft 100 feet deep, which is being timbered. This shaft is to be sunk 100 feet deeper and a drift run 300 feet to connect with the shaft at the 200 foot level. Very good ore is coming from this shaft and also from the Pasquate Nigo property adjoining, owned by Gibson & Henderson.

Hammer, Brice and Beck, who have a lease and bond on the Welch property, have a fine showing of ore. They have opened up a 20 inch pay streak of sulphide ore that runs from 12 to 25 per cent copper.

Buckner and Frederick, who have a lease on the Proctor mine owned by Fondren and Snyder, are taking out sulphide ore running 26 per cent, and have commenced to make shipments to the Old Dominion smelter.

J. H. Feagles and W. J. Feagles are greatly encouraged by the developments on their property. They have nine claims adjacent to the Gibson mine and an interest in three other claims in the same vicinity. On the Mandy H claim there is shipping ore

on the dump and a number of their claims show good ore.

Many other good claims in the district are being developed, some of which will soon be shipping ore.

What is needed to hasten development and bring prosperity to the district is the extension of the G. V. G. & N. railroad from Globe, which it is believed will not be long delayed.

ARIZONA COMMERCIAL

**Company will Send no More Ore to the
Smelter Without First Con-
centrating it**

The Arizona Commercial Copper company recently stopped shipping ore from the Copper Hill mine to the Old Dominion smelter, for the reason as stated by N. L. Amster of Boston that there would be a saving to the company of \$5 to \$6 per ton if the ore was first concentrated.

The Old Dominion company was charging the Arizona Commercial company \$3 per ton working charge but had made an additional charge of \$1 per ton on account of the Copper Hill ore being highly silicious.

Mr. Amster says further: "There is a probability that we will make an arrangement with the Old Dominion company for the concentrating of our ores, whereby the largest part of the silica will be eliminated, in which case shipments will be resumed, otherwise we will erect our own mill. We would have no difficulty in now shipping 100 tons of ore per day. Our company made \$5 to \$6 per ton on the 500 or 600 tons shipped to the smelter, but we should have made a profit of \$10 per ton. Our sulphide ore shipped to the smelter averaged 55 per cent copper."

It is also stated that a diamond drill is being installed to assist in the quick development of the property.

The listing of Arizona Commercial copper shares on the Boston stock exchange has been deferred.

THE MEXICANS HAVE A PRELIMINARY HEARING

**Examination Begun and Felipe San-
chez is Held Without Bail
to Grand Jury**

The Mexicans brought from Alamogordo and Felipe Sanchez, a witness brought from Tucson to testify as to his knowledge concerning the murder of Sam Plunkett and Ed. Kennedy, have had a preliminary hearing before Justice Hiram Thomas. Many witnesses were examined and the testimony elicited was very conflicting.

It is quite evident to the court officials that all the Mexican witnesses are trying to conceal their actual knowledge in the case and have endeavored to beguile the prosecution. The evidence of Felipe Sanchez, the witness brought from Tucson, was sufficient to bind him over without bail to the next grand jury.

The proceedings were adjourned until September 21, when it is expected that new witnesses will be present and shed more light on the events previous and subsequent to the double murder. A web is being woven around the suspects which bids fair to enmesh them to their utter downfall.

The men held at Sweetwater, Tenn., have been released, but are still under surveillance and can be reached if evidence points their way. Strong hopes are entertained that a conviction may result from the investigations now being made.

A couple of suspected Mexicans were arrested last week by Deputy Sheriff J. D. Parks and Alberto Munfua near Metcalf. They answer the description given in the printed circular sent out and though they are almost positively known to be fugitives from justice the local authorities have no confidence that they had anything to do with the crimes.

CHANGE OF RANGERS—R. E. Benedict, forest reserve inspector for New Mexico and Arizona, whose headquarters are at Albuquerque, and A. E. Marshall from the Prescott, Arizona, reserve, arrived here early in the week. Mr. Marshall will succeed J. C. Brodie as ranger in charge of Pinal forest reserve, the latter having asked to be relieved.

KNIGHTS ENTERTAIN—The K. P.'s had an enjoyable session Thursday evening entertaining many guests. The usual good cheer was provided and addresses were made by Judge Tucker, J. G. Oldfield and others. The attendance was unusually large.

CASE DISMISSED—W. T. Armstrong is in the city from his ranch at Dripping Springs. He informs us that the case brought against him by the rangers in Pinal county was dismissed on August 23, at the request of the district attorney who stated that there was no evidence to justify holding defendant on the charge.

NON NOBIS SOLUM—The ladies of the Non Nobis Solum club will give a dance in Odd Fellow's hall Monday evening, September 18. Music by the colored orchestra. A delightful time is assured and the coast colony of summer absentees will hold an impromptu reception.

FALSE ALARM—The alarm of fire Thursday evening at 8 o'clock was occasioned by the burning of a mosquito smudge in rear of the Racket store. No harm or damage resulted.

Mr. and Mrs. Jas. H. Pascoe and Mr. John Robertson have arrived home from Los Angeles and adjacent beach resorts, all much improved by the outing. Mr. and Mrs. B. G. Jackson will remain in Los Angeles two weeks longer.

Miss Fannie M. Fiske has returned home from a trip of more than three months in California and Oregon, having visited Portland, San Francisco, Berkeley, Avalon and Los Angeles.

LAW AVENGES ZACK BOOTH'S CRIME

**Self-Confessed Murderer of Wiley Berry and Juan Vigil Meets
Doom on Scaffold—Claimed to the Last That He Acted
in Self-Defense—Dramatic Scene at Execution**

The first legal execution in Gila county since 1890 took place in Globe, on Friday morning, September 15, 1905, when Zack Booth, twice sentenced for the self-confessed killing of Wiley Berry and Juan Vigil, expired his crime on the gallows. A frame had been erected in the jail yard, the platform containing the drop being boxed in so that what transpired thereon was only visible to the dozen people admitted under the law. The lower portion of the structure was hastily covered today with canvas and blankets so that the revolting scene was only visible to those whose duties compelled their presence. The fences and house-tops, and hillsides in the near vicinity had long been peopled with a curious crowd which gathered in numbers as the hours grew. All preparations had been made with such precision and judgment that no hitch occurred. The condemned man was a marvel of nerve and courage.

On December 22, 1903, Wiley Berry and Juan Vigil were shot and instantly killed near Gisela. Young Vigil was evidently shot in the back as the breast was torn away where the bullet made exit. The first report concerning the crime alleged that the body of Berry had fallen forward into the camp fire and had afterward been removed and a gun placed under his arm to create the impression that he had been the aggressor in events preceding the killing.

Deputies J. C. Chilson and Ben Pyeat apprehended Zack Booth and his older brother, John, suspected of having committed the double murder and took them to Payson where a preliminary hearing was held on Saturday and Monday, December 26 and 28.

Zack Booth confessed to the killing at the coroner's inquest and took all the responsibility, in the endeavor to exonerate his brother John. He was bound over to await the action of the grand jury without bail. He alleged self defense as a motive for killing the two men, claiming that Wiley Berry shot at him first, the bullet from Berry's gun having struck the pommel of his saddle; that he returned the fire killing both men. He also said that they were "sassy" when he ordered them to leave.

Wiley Berry was the son of a prominent citizen and former sheriff of Apache county. He was only 20 years of age and highly spoken of by the people of that section who knew him well. Assisting him in herding his father's flocks was Juan Vigil, a lad of 17 years, son of Santiago Vigil who was employed by Berry senior as a herder. Young Vigil's body was found at some distance from that of Berry and it was declared that he was running away when shot in the back. He was afterwards shot twice in the breast and once under the chin. Santiago Vigil was nearby when the shots were fired and saw two men riding away from the camp where the murders were committed.

In Gila County Jail

Zack and John Booth were brought to Globe and placed in jail on Saturday evening, Jan. 2, 1904, the subsequent testimony evoked at the preliminary hearing having implicated the latter.

Ex-sheriff J. H. Thompson had previously made Zack Booth's acquaintance in law-breaking roles and at his suggestion the self-confessed murderer was taken to Maricopa county for safe keeping, Gila jail being none too secure. John Booth was locked up in the local jail to await the June term of court.

By direction of District Attorney Geo. R. Hill the bodies of the murdered men were exhumed in order that all possible evidence of the nature and character of the wounds might be secured. The relative positions of the bodies when found to various points in the camp were compared and the direction from which the shots were fired was determined. Dr. A. B. Curtis performed the post mortem.

Zack Booth Guilty

The trial of the Booths took place in Globe the week of Monday, June 13, 1904. Taking of testimony began late on that day and continued until noon of Thursday, more than twenty witnesses being placed upon the stand.

The principal witnesses for the prosecution were: Santiago Vigil, Albert Cavaness, E. C. Conway and Henry Haight. Their evidence was very conclusive and could not be shaken under the severe cross-examination.

Zack Booth admitted both killings alleging self-defense and that a bullet from Berry's weapon struck the cantle of his saddle, it being introduced as evidence. He also alleged that John Booth was not present at, nor participated in the killing. This claim was refuted by the evidence of Santiago Vigil.

He said that two men whom he positively identified as Zack and John Booth rode up to where he was herding the Berry sheep and ordered him to drive them away from that portion of the

range. He told them he could not do so without orders from the boss. They asked him where the boss was and he pointed in the direction of the camp. The men then rode away in that direction. In about twenty minutes he heard a succession of shots, eight or nine in number, and started at once for the camp which was about half a mile away. As he approached, the two men who had previously accosted him rode away from the camp in the opposite direction.

Reaching the camp he found the bodies of his son and young Berry lying dead where they had been shot down. One of Berry's arms was lying partly in the camp fire and he moved the body away from the fire, placing canvass over both bodies and went to give the alarm and procure assistance.

Returning with others he found that Berry's body had been moved and his gun placed under the body. The horses ridden by the men were trailed from where they had left the camp and it was shown that they had made a circuit back to where the men had talked to Santiago Vigil earlier in the morning, which gave the impression that they had returned expecting to find the old man where they had left him, intending to kill him and thus remove the only witness that might be able to connect them with the murders.

After the evidence was all in Geo. R. Hill addressed the jury for the prosecution. He was followed by E. J. Edwards and George J. Stoneman for the defense, who did their best to discredit the evidence against John Booth and to create sympathy for him with the jury.

A. C. Baker, associated with the prosecution, made the concluding argument in a scathing arraignment of Zack Booth for his abhorrent recital of having emptied his sixshooter in the body of Juan Vigil as he lay struggling in death convulsions, as he said, "to put him out of his misery."

Jury Takes the Case

At 6 o'clock p. m., June 16, 1904, the jury retired to consider the evidence and return a verdict. On Friday morning at 9:15 o'clock, on opening of the court, Bailiff Ed. Shanley, in charge of the jury, announced that the jury was ready to report. The following verdict was thereupon announced:

"Territory of Arizona, plaintiff, vs. John Booth and Zack Booth, defendants—Verdict.

"We the jury, empaneled and sworn in the above entitled action, upon our oaths do find defendant Zack Booth guilty of murder, and fix the penalty of death, and do find the defendant John Booth not guilty. Wm. Gravelle foreman."

Only one ballot was necessary to convict Zack Booth but half the jury-men favored imprisonment for life while the remaining ones favored the death penalty. They finally agreed unanimously on the death sentence.

The verdict was a compromise, about half the jury being of the opinion that John Booth was guilty of complicity in the murder of the boy Vigil.

Supreme Court Affirms

The attorneys for Zack Booth have made every possible effort to save their client, the resources of the law being exhausted in the endeavor to secure a new trial; to get the case before the U. S. circuit court of appeals in San Francisco; to secure a second reprieve in order that a petition for commuting the sentence to life imprisonment might be prepared and circulated—all without avail.

The supreme court handed down a remittitur to the June term of the district court, sustaining the action of the lower court and denying the plea of defendants. Judge Tucker resented Zack Booth to be hanged on August 16.

Governor Kibbey granted a reprieve until September 15, to give the attorneys an opportunity to present the case to the appellate court, but no standing could be gained before that bench in view of a supreme court de-

cision of last year.

On Wednesday the Governor decided that he could not interfere further in the case and would neither grant a commutation of sentence or a further reprieve.

John Booth was tried at the June term of court, this year, for the killing of Berry, the jury disagreeing.

A Plea of Insanity

Late yesterday afternoon the attorneys for Zack Booth made strenuous efforts to secure from Sheriff Ed. Shanley an affidavit that he believed the condemned to be insane. Had he complied a jury would have been called to pronounce on the testimony of medical experts; delay would have been gained and a possible appeal to the supreme court might have been necessary. There are many precedents for such action—they have been based on the strongest of evidence.

Sheriff Shanley said he had no evidence from the prisoner's action during confinement in jail here that he was insane. In fact, the sheriff's office has had many evidences that he was a very shrewd man and in full possession of his normal faculties. District Attorney A. R. Edwards expressed the opinion that he was not insane within the meaning of the law.

Unmoved at the News

When informed that his case was hopeless and that he must meet his doom he maintained the same demeanor that he has preserved ever since the death sentence was pronounced. He remarked to the deputies that he would "have to go the route," but manifested no emotion. He made a hearty supper last evening of delicacies, especially ordered for him by Sheriff Shanley. He wrote letters until nearly four o'clock this morning, after which he slept soundly until after seven.

The Execution Delayed

This morning George J. Stoneman, of counsel for Booth, entered a petition before Judge Tucker for a hearing on writ of habeas corpus, on virtually the same grounds that were the basis of the appeal to the territorial supreme court, which had already been decided against defendant by unanimous opinion.

Mr. Stoneman recited the particulars to substantiate his claim of error. C. A. Baker appeared for the prosecution, denying the right or authority of the court to grant a writ in the case as the district court had no power to issue an order in direct opposition to the ruling of the supreme bench on these identical questions of error.

Judge Tucker held this view and denied the writ. Mr. Stoneman then gave notice that he would enter a formal appeal to the supreme court on Judge Tucker's denial. A recess was taken while the papers were prepared. The argument was renewed by Messrs. Baker and A. R. Edwards for the territory and Mr. Stoneman. Judge Tucker decided that he had no authority under the statutes to grant the appeal.

Meanwhile Sheriff Shanley had delayed the execution to enable the proceedings. Mr. Stoneman notified him that he had done all in his power for the condemned man and preparations for the hanging were hurriedly completed.

Death Warrant Read

The death warrant was read to the condemned man at 10:15 a. m. in the presence of his spiritual advisers. He asked that the 24th Psalm be read at the same time. He made no remarks and exhibited no emotion whatever. With him were Rev. R. I. McKee and officers of the Salvation Army who afterwards attended him to the scaffold. Zack joined in the prayers and made several rejoinders to their consoling utterances.

He was attired in black and remained in his shirt sleeves until just before being called for by the sheriff. His remarks were in the nature of a running fire of jocular comments, scraps of prayer and assertions that he expected to meet his Savior and his mother "on the shining shore."

He laughed quite heartily at some of his own jokes.

"I'm Going the Route, Boys"

Was a favorite expression, used many times during the hour before the fatal moment. He walked firmly and even jauntily between Sheriff Shanley and Undersheriff Heron, attended by the clergymen to the scaffold. Noting the crowds on fences and house-tops, he turned and said: "Good-bye, boys; good-bye everybody; a lot of people are here to see Zack go the route."

Noting the height of the platform he remarked to the sheriff: "You're going to give me a big drop there, Ed." Turning again to the crowd he said, "Remember me to all the people up around St. Johns. I'm an innocent man; what I did was to protect my property and rights—my life and my home. I'm going to meet my dear old father in heaven."

He stood on the trap firmly and unconcerned while the straps were adjusted around his legs and body. After prayer and the reading of the 90th Psalm, to which he ejaculated frequent responses, he took a few swallows of water and bade good-bye to those around him.

A Dramatic Incident

Taking a pocket knife from his pocket where it had been concealed he handed it to Sheriff Shanley saying: "The devil gave me quite a hunch to cheat you out of this job, Ed, but I thought I'd go the route." He thank-

SHOT AT BUNCH INDIAN KILLED

**The Long Expected Has Happened—Drunken Indians
Provoke Henderson**

SHOOTER ON HIS WAY HERE

**Reported To Deputy at Livingstone that
He Had Shot at the Crowd—Did
Not Know that His Bullet Had
Found Its Mark**

Ribs Henderson, a cattleman living on Salt river left Globe on horseback Thursday afternoon. About four miles this side of Livingstone he met a band of Indians on horseback, who he claims were drunk and he had an altercation with them. The dispute, of which no details are yet at hand, resulted in his firing a shot into the crowd, and he rode on home without stopping to note the effect of his marksmanship.

At Livingstone he reported to Deputy Sheriff Shornick his version of the affair, admitting that he had fired the shot. Shornick went to the scene and found a dead Indian. He arrested Henderson and is now on the road to Globe with his prisoner. The sheriff's office has phoned for further particulars.

It has been freely predicted by freighters and others who traverse this road frequently that a clash was bound to come sooner or later because of the number of drunken Indians seen lately with firearms in that section. Many teamsters have armed themselves for self-protection.

The Sheriff telephoned to Justice J. C. Evans, at Roosevelt, to hold an inquest on the body of the Indian.

STATEHOOD VOTES ARE COMING IN RAPIDLY

**Many Orders for Blank Ballots Have
Been Filled This Week—Result
Next Week.**

Every day brings its batch of votes. Yesterday there were more than 20 received and we are notified of another big batch coming in a day or two. Thinking people are aroused as they never have been before on this issue and the few who favor jointure are in a pitiful minority. Gila county's protest will be one of the most effective weapons yet placed in the hands of the "anti" forces in Arizona.

We will be obliged to close the poll with the next issue and publish the result.

If there are any of the SILVER BELT readers who have not mailed or handed us their votes we solicit prompt action in order that the total may be convincingly large. Do not wait until it is too late.

ed the officers for their kindness to him and again assured the attending ministers that he would meet them in heaven. "I forgive everybody and hope you will forgive me," he said as he was placed upon the trap under the noose. He virtually supervised the preparations and examined into all details of the gallows with interest.

The noose was placed about his neck and he complained that it was too tight and it was eased while the black cap was adjusted. He still talked in fragmentary sentences while the rope was around his neck and the cap over his face.

The Drop Falls

In the middle of a half uttered word the drop fell, his body shot down like a plummet, the fall of nearly seven feet breaking his neck instantly. Not a muscle contracted; his body as inert as clay hung suspended for sixteen minutes when Dr. A. F. Maish pronounced life extinct. A faint motion of the heart could be detected for ten minutes or more.

The body was cut down and prepared for the casket. No claim was made by relatives for the body and unless otherwise arranged later today, will be buried in the city cemetery.

Notes of the Morning

It had been rumored that he would make a complete confession and talk at length about the crime, but he only made one reference to the testimony and claimed that one witness had not told the truth. He said that "the Mexicans" were responsible for his death. He enquired anxiously who were the doctors and addressed them concerning care to see that "the work was well done." "Wipe my moustache," said he to the sheriff. "Boys, that moustache has grown since the 26th,"—the date of his arrival here from Phoenix.

A more self possessed man under the circumstances could not well be imagined. Not for a moment did he falter or lose his perfect self control and many others on the platform were more visibly affected than he.

Every detail of the lugubrious performance was mechanically perfect and not the slightest hitch occurred in any way. Those having the matter in charge used every possible precaution and were entirely successful.

Mrs. Pauline Cornelius, matron of the county hospital, accompanied by her mother, Mrs. Simpson and little daughter Carlos returned from a vacation visit of two months at the coast.

Mrs. Wm. Mill Williams and children have returned from an enjoyable outing at coast resorts.